

with the approval of the Governor of Texas, from and after the passage of this Act, be and he is hereby authorized and empowered to declare financial moratoriums for and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, national banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoriums and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing for penalties for violations; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed.

WOODUL, Chairman.

Committee Amendment No. 1.

Amend S. B. 416 by adding Section 2A as follows:

"It is expressly provided that the provisions of this bill shall be in force and effect up to and including April 30th, 1933, when it shall terminate."

Amend the caption accordingly.

DeBERRY,
COLLIE,
MURPHY.

THIRTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
March 4, 1933.

The Senate met at 1:10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Blackert.	Moore.
Collie.	Murphy.
DeBerry.	Oneal.
Duggan.	Pace.
Fellbaum.	Parr.
Greer.	Patton.
Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.
Martin.	Regan.

Russek.	Woodruff.
Sanderford.	Woodul.
Small.	Woodward.
Stone.	

Absent—Excused.

Beck.	Neal.
Cousins.	Redditt.

Prayer by Senator DeBerry.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Regan.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent the constitutional rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Pace:

S. B. No. 417, A bill to be entitled "An Act providing that the notes, bonds, or other obligations or evidences of indebtedness of any person, firm or corporation holding mortgages or other liens on Texas real estate, may be tendered and shall be accepted in payment and satisfaction in whole or in part of the principal or interest due or to become due on such indebtedness and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senators Stone and Poage:

S. B. No. 418, A bill to be entitled "An Act to stay all sales under execution, order of sale or under any deed of trust, mortgage or other contract giving or granting any power of sale of real, personal or mixed property for debt now advertised to be made on March 7th, 1933, for a period of four weeks from said date, providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on March 7th, 1933, shall be required for such sale on April 4th, 1933, making void all sales in violation of this Act; extending the time for return, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence

By Senator Small:

S. B. No. 419, A bill to be entitled "An Act to provide for the repurchase of land set apart to build the Capitol that has been recovered by the State and appropriated to the Public Free School Fund, and heretofore purchased from the State, and forfeited or that should be forfeited for nonpayment of interest accrued prior to November 1, 1932, the owner of such land or part thereof at the date of forfeiture shall have a preference right for a period of ninety (90) days after the date of notice of revaluation of such land to repurchase the same upon the terms and conditions provided in Chapter 94, page 267, Acts of 1925, as amended by the Act of 1926, Thirtieth Legislature, First Called Session, page 47, Chapter 25; and declaring an emergency."

Read and referred to Committee on Public Lands and Land Office.

By Senator Holbrook:

S. B. No. 420, A bill to be entitled "An Act providing that when the Banking Commissioner of Texas finds certain facts to exist he shall, by decree or proclamation, prohibit or limit withdrawals by investing shareholders; providing for the cancellation of withdrawal notices; providing for the prevention of receiving or filing additional withdrawal notices; and declaring an emergency."

Read and referred to Committee on Banks and Banking.

By Senators Moore, Hopkins, Holbrook, Patton, Woodul, Sanderford, Woodward and Small:

S. B. No. 421, A bill to be entitled "An Act amending Article 4682 of the Revised Civil Statutes by adding thereto subsection 21, authorizing the Board of Insurance Commissioners, with approval of the Governor of Texas, to exercise such incidental and implied powers and duties as may be necessary to carry out the purposes and intent of the insurance laws of this State; and, by adding thereto subsection 22, authorizing the Board of Insurance Commissioners to prescribe rules and regulations for carrying out the purposes and intent of the insurance laws of this State; and declaring an emergency."

Read and referred to Committee on Insurance.

Senate Bill No. 416.

Unanimous consent was granted to take up and consider the following bill:

By Senators Hopkins, Russek, and Woodward:

S. B. No. 416, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be and he is hereby authorized and empowered to declare financial moratoriums for and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, national banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoriums and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing for penalties for violations, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by the following vote:

Yes—19.

DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Murphy.	Stone.
Parr.	Woodul.
Patton.	Woodward.
Poage.	

Nays—8.

Blackert.	Moore.
Collie.	Oneal.
Holbrook.	Pace.
Martin.	Woodruff.

Absent—Excused.

Beck.	Neal.
Cousins.	Redditt.

The committee amendment was adopted.

Read second time.

Senator Purl sent up the following amendment:

Amend S. B. No. 416 by adding the

following in line 12, Section 1, after the second Texas the following:

"And the State Banking Board."

PURL.

Read and adopted by the following vote:

Yeas—14.

Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Small.
Holbrook.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.

Nays—13.

Fellbaum.	Patton.
Greer.	Rawlings.
Hopkins.	Regan.
Hornsby.	Russek.
Murphy.	Sanderford.
Pace.	Stone.
Parr.	

Absent—Excused.

Beck.	Neal.
Cousins.	Redditt.

Senator Moore sent up the following amendment:

Amend S. B. No. 416 by adding at the end of Section 1 the following:

Provided, that banks, bank and trust companies, and other banking institutions in Texas, State and National, whether public or private institutions, coming under the provisions of this Act, shall be and are hereby required without restriction to honor any and all checks, drafts, and/or warrants issued by legitimate depositors to pay premiums on insurance policies due and payable, and further that the provisions above shall apply to all checks, drafts and warrants issued and/or drawn by the authorized Secretaries or other authorized representatives of fraternal insurance organizations in payment of premiums of members of such fraternal insurance organizations, local and foreign, operating in Texas.

It is also provided by this Act that banks, bank and trust companies, and/or other banking institutions, whether public or private, are required to honor all checks, drafts and/or warrants issued by legitimate depositors in payment of premiums due on bonds issued by

insurance companies and/or underwriting companies operating by authority of Chapter 165, Acts of the Regular Session of the 42nd Legislature, 1931, which Act is more particularly known as Senate Bill No. 165, Acts of the Regular Session of the 42nd Legislature, 1931.

It is furthermore provided that checks, drafts, and/or warrants above referred to must be deposited by such insurance companies, fraternal insurance organizations and/or underwriting companies for use and benefit of their policyholders and/or bondholders in payment only of policy loans or equity withdrawals and the payment of death claims to the amount provided for in policies or bonds issued by such insurance companies, fraternal insurance organizations and/or underwriting companies. Further, that all checks, warrants, and/or vouchers issued by such insurance companies, fraternal insurance organizations and/or underwriting companies, in payment of death claims, policy loans and/or withdrawal equities shall be honored by the bank, bank and trust company or other financial institution for face value.

MOORE

The amendment was read.

On motion of Senator Hornsby, the amendment was tabled.

Senator Hopkins moved to reconsider the vote by which the committee amendment was adopted.

The motion was lost by the following vote:

Yeas—10.

Fellbaum.	Rawlings.
Greer.	Russek.
Hopkins.	Sanderford.
Parr.	Small.
Patton.	Stone.

Nays—17.

Blackert.	Oneal.
Collie.	Pace.
DeBerry.	Poage.
Duggan.	Purl.
Holbrook.	Regan.
Hornsby.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Murphy.	

Absent—Excused.

Beck.	Neal.
Cousins.	Redditt.

The bill was passed to engrossment by the following vote:

Yeas—27.

Blackert.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford,
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Beck.	Neal.
Cousins.	Redditt.

The motion to suspend the constitutional rule requiring bills to be read on three several days was lost by the following vote:

Yeas—22.

DeBerry.	Parr.
Duggan.	Patton.
Fellbaum.	Poage.
Greer.	Purl.
Holbrook.	Rawlings.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford,
Murphy.	Small.
Oneal.	Stone.
Pace.	Woodward.

Nays—5.

Blackert.	Woodruff.
Collie.	Woodul.
Moore.	

Absent—Excused.

Beck.	Neal.
Cousins.	Redditt.

(Four-fifths vote required.)

Reason for Vote.

I vote "Yea" on S. B. No. 416 not because it is what I desire, but offers some relief from a desperate situation. This bill is badly drawn and will work many injustices. It should have been amended.

HOLBROOK.

Recess.

On motion of Senator Purl, the Senate, at 2:30 o'clock a. m., re-

cessed until 11 o'clock a. m. Saturday morning.

After Recess.

The Senate met at 11 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Point of No Quorum.

Senator Woodul raised the point of order that a quorum was lacking. The roll call showed 26 present.

Senate Bill No. 416.

The Chair, Lieutenant Governor Edgar E. Witt, held that the vote taken on the suspension of the constitutional rule on S. B. No. 416 (22 to 5) was sufficient to suspend the rule, inasmuch as his subsequent investigation of the Senate rules showed that only a four-fifths vote of those present (instead of four-fifths of those elected) was necessary to suspend the rule.

Senator Woodward moved to reconsider the vote by which the constitutional rule was suspended. The motion prevailed by the following vote:

Yeas—22.

Beck.	Parr.
DeBerry.	Patton.
Duggan.	Poage.
Fellbaum.	Rawlings.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford,
Martin.	Small.
Murphy.	Stone.
Oneal.	Woodul.
Pace.	Woodward.

Nays—6.

Blackert.	Moore.
Collie.	Purl.
Holbrook.	Woodruff.

Absent—Excused.

Cousins.	Redditt.
Neal.	

Senator Woodul withdrew the motion to suspend the constitutional rule.

Senator Woodul moved to reconsider the vote by which the bill was passed to engrossment. The motion was lost by the following vote:

Yeas—13.

Greer.	Russek.
Hopkins.	Sanderford,
Martin.	Small.
Murphy.	Stone.
Parr.	Woodruff.
Patton.	Woodul.
Rawlings.	

Nays—15.

Beck.	Moore.
Blackert.	Oneal.
Collie.	Pace.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Regan.
Holbrook.	Woodward.
Hornsby.	

Absent—Excused.

Cousins.	Redditt.
Neal.	

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 416 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cousins.	Redditt.
Neal.	

Read third time.

Senator Woodward sent up the following amendment:

Amend the bill by striking out the amendment which added the words "the State Banking Board."

WOODWARD.

The amendment was read and adopted by the following vote:

Yeas—20.

Duggan.	Greer.
Fellbaum.	Hopkins.

Hornsby.	Rawlings.
Martin.	Regan.
Murphy.	Russek.
Oneal.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodul.
Poage.	Woodward.

Nays—7.

Beck.	Moore.
Blackert.	Purl.
Collie.	Woodruff.
Holbrook.	

Absent.

DeBerry.	Absent—Excused.
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Cousins.	Redditt.
Neal.	

Senator Woodul sent up the following amendment:

Amend S. B. No. 416 by striking out of the bill Sec. 2a reading as follows:

It is expressly provided that the provisions of this bill shall be in force and effect up to and including April 30, 1933, when it shall terminate.

And amend the caption accordingly.

WOODUL.

The amendment was read.

Senator Rawlings moved the previous question on the further consideration of the amendment and the bill. The motion was lost by the following vote:

Yeas—13.

Duggan.	Rawlings.
Fellbaum.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Pace.	Woodruff.
Parr.	

Nays—15.

Beck.	Oneal.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Greer.	Stone.
Holbrook.	Woodul.
Moore.	Woodward.
Murphy.	

Absent—Excused.

Cousins.	Redditt.
Neal.	

Senator Holbrook moved to recess until 2:30 o'clock.

The motion was lost.

The amendment (by Senator Woodul) was lost by the following vote:

Yeas—12.

Fellbaum.	Rawlings.
Greer.	Russek.
Hopkins.	Sanderford.
Martin.	Small.
Parr.	Stone.
Patton.	Woodul.

Nays—16.

Beck.	Murphy.
Blackert.	Oneal.
Collie.	Pace.
DeBerry.	Poage.
Duggan.	Purl.
Holbrook.	Regan.
Hornsby.	Woodruff.
Moore.	Woodward.

Absent—Excused.

Cousins.	Redditt.
Neal.	

The bill was finally passed by the following vote:

Yeas—28.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Cousins.	Redditt.
Neal.	

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

H. B. No. 60.	H. B. No. 17.
H. B. No. 595.	H. C. R. No. 41.
H. B. No. 129.	

Senator Excused.

Senator Redditt was excused for the day, on account of important business, on motion of Senator Patton.

Message From the House.

Hall of the House of Representatives, Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

H. C. R. No. 40, Congratulating the Honorable Franklin Delano Roosevelt, President-elect, on the selection of Silliman Evans of Fort Worth and Cisco, Texas, as an Assistant Postmaster General of the United States.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 418.

By unanimous consent the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider out of its regular order the following bill:

By Senator Stone:

S. B. No. 418, A bill to be entitled "An Act to stay all sales under execution, etc., until April 4, 1933, etc., and declaring an emergency."

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 418 was put on its second reading by the following vote:

Yeas—27.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Holbrook.

Absent—Excused.

Cousins. Redditt.
Neal.

The rule requiring committee reports to lie over one day was suspended by the following vote:

Yeas—27.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Holbrook.

Absent—Excused.

Cousins. Redditt.
Neal.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 418 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Holbrook.

Absent—Excused.

Cousins. Redditt.
Neal.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Holbrook.

Absent—Excused.

Cousins. Redditt.
Neal.

Recess.

On motion of Senator Hopkins, the Senate, at 1:03 o'clock p. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 773, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this act, be, and he is hereby authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, National banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders

and decrees necessary to enforce such powers herein delegated; providing penalties for violations; and declaring an emergency."

S. B. No. 418, A bill to be entitled "An Act to stay all sales under execution, order of sale or under any deed of trust, mortgage or other contract giving or granting any power of sale of real, personal or mixed property for debt now advertised to be made on March 7th, 1933, for a period of four weeks from said date, providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on March 7th, 1933, shall be required for such sale on April 4th, 1933, making void all sales in violation of this Act; extending the time for return, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

House Bill Referred.

H. B. No. 773 referred to Committee on Banks and Banking.

Point of No Quorum.

Senator Woodul raised the point of order that a quorum was lacking. The roll call showed 23 present.

Senate Bill No. 195.

Senator Greer called up from the table the following bill:

By Senator Greer:

S. B. No. 195, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing the same and providing for the election of a member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

By unanimous consent the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the bill.

Read second time.

Senator Stone sent up the following amendment:

Amend S. B. No. 195 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. The State of Texas shall be apportioned into the following congressional districts, each of which shall be entitled to elect one member of the Congress of the United States:

First—The following counties shall compose the First District, to-wit; Andrews, Brewster, Crane, Crockett, Culberson, Ector, El Paso, Glasscock, Howard, Hudspeth, Jeff Davis, Loving, Martin, Midland, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Val Verde, Ward and Winkler.

Second—The following counties shall compose the Second District, to-wit; Bailey, Borden, Cochran, Cottle, Crosby, Dawson, Dickens, Fisher, Floyd, Foard, Gaines, Garza, Hale, Haskell, Hockley, Kent, King, Knox, Lamb, Lubbock, Lynn, Motley, Scurry, Stonewall, Terry and Yoakum.

Third—The following counties shall compose the Third District, to-wit; Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher and Wheeler.

Fourth—The following counties shall compose the Fourth District, to-wit; Archer, Baylor, Clay, Cooke, Denton, Jack, Montague, Throckmorton, Wichita, Wilbarger, Wise and Young.

Fifth—The following counties shall compose the Fifth District, to-wit; Callahan, Comanche, Eastland, Erath, Hamilton, Hood, Jones, Nolan, Palo Pinto, Parker, Shackelford, Stephens and Taylor.

Sixth—The following counties shall compose the Sixth District, to-wit; Bandera, Brown, Coke, Coleman, Concho, Edwards, Gillespie, Irion, Kendall, Kerr, Kimble, Kinney, Lampasas, Llano, Mason, Medina, Menard, Mills, Mitchell, McCullough, Real, Runnels, San Saba, Schleicher, Sterling, Sutton, Tom Green and Uvalde.

Seventh—The following counties shall compose the Seventh District, to-wit; Cameron, Dimmit, Frio, Hidalgo, LaSalle, Maverick, Starr, Webb, Willacy, Zapata and Zavala.

Eighth—The following counties shall compose the Eighth District, to-wit; Atascosa, Bee, Brooks, Comal, Duval, Gonzales, Guadalupe, Jim Hogg, Jim Wells, Karnes, Kleberg, Live Oak, McMullen, Nueces, San Patricio and Wilson.

Ninth—The following counties shall compose the Ninth District, to-wit; Austin, Bastrop, Blanco, Burleson, Burnet, Caldwell, Hays, Lee, Travis, Washington and Williamson.

Tenth—The following counties shall compose the Tenth District, to-wit; Aransas, Brazoria, Calhoun, Colorado, DeWitt, Fayette, Fort Bend, Goliad, Jackson, Lavaca, Matagorda, Refugio, Victoria and Wharton.

Eleventh—The following counties shall compose the Eleventh District, to-wit; Brazos, Chambers, Galveston, Grimes, Hardin, Houston, Liberty, Montgomery, Polk, San Jacinto, Trinity, Tyler, Walker and Waller.

Twelfth—The following counties shall compose the Twelfth District, to-wit; Angelina, Jasper, Jefferson, Nacogdoches, Newton, Orange, Sabine, San Augustine and Shelby.

Thirteenth—The following counties shall compose the Thirteenth District, to-wit; Bell, Bosque, Coryell, Falls, Milam, McLennan, and Robertson.

Fourteenth—The following counties shall compose the Fourteenth District, to-wit; Anderson, Freestone, Henderson, Hill, Leon, Limestone, Madison and Navarro.

Fifteenth—The following counties shall compose the Fifteenth District, to-wit; Cherokee, Gregg, Harrison, Pannola, Rains, Rusk, Smith, Van Zandt and Wood.

Sixteenth—The following counties shall compose the Sixteenth District, to-wit; Bowie, Camp, Cass, Delta, Franklin, Hopkins, Lamar, Marion, Morris, Red River, Titus and Upshur.

Seventeenth—The following counties shall compose the Seventeenth District, to-wit; Collin, Fannin, Grayson, Hunt, Kaufman and Rockwall.

Eighteenth—The following counties shall compose the Eighteenth District, to-wit; Ellis, Johnson and Tarrant.

Nineteenth—The following counties shall compose the Nineteenth District, to-wit; Dallas.

Twentieth—The following counties shall compose the Twentieth District, to-wit; Bexar.

Twenty-first—The following counties shall compose the Twenty-first District, to-wit; Harris.

Sec. 2. Nothing in this Act shall in any wise affect the tenure in office of the present delegation in Congress of Texas, but this Act shall take effect for the general election in 1934, and the congressman shall be elected from each of said districts for 1934, and

thereafter until this law shall have been changed by the Legislature of this State.

Sec. 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 4. The great importance of the legislation proposed and the previous delay in redistricting the State, causing great injustice to a large part of our State, in denying due representation in Congress, creates an emergency and an imperative public necessity which requires that the constitutional rule requiring that bills be read on three several days be suspended and that this bill be placed upon its final passage and it is so enacted.

STONE.

The amendment was read.

House Bill No. 773.

Senator Hopkins received unanimous consent that the regular order of business be suspended, and the Senate take up the following bill:

By Mr. Kayton, Mr. Patterson, and Mr. McGregor:

H. B. No. 773, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be, and he is hereby, authorized and empowered to declare financial moratoria for, and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, National banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in the State of Texas, or both such moratoria and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing penalties for violations; and declaring an emergency."

Senator Woodruff raised the point of order that this bill had not been considered by the committee.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order, holding that a committee report on the bill had been filed, and the Chair could not go behind that report.

Senator Woodruff moved to recommit the bill to the Committee on Banks and Banking. The motion was lost by the following vote:

Yeas—8.

Blackert.	Murphy.
Collie.	Oneal.
DeBerry.	Poage.
Holbrook.	Woodruff.

Nays—19.

Beck.	Purl.
Duggan.	Rawlings.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Pace.	Woodul.
Parr.	Woodward.
Patton.	

Absent—Excused.

Cousins.	Neal.
Fellbaum.	Redditt.

The motion of Senator Hopkins to suspend the constitutional rule requiring bills to be read on three several days and put H. B. No. 773 on its second reading was lost by the following vote:

Yeas—17.

Beck.	Patton.
Duggan.	Rawlings.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Pace.	Woodward.
Parr.	

Nays—10.

Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Purl.
Holbrook.	Woodruff.
Moore.	Woodul.

Absent—Excused.

Cousins.	Neal.
Fellbaum.	Redditt.

(Four-fifths vote required.)

Senate Bill No. 195.

The question recurred upon the pending amendment to S. B. No. 195.

Bill Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 418.

Motion to Re-refer.

On motion of Senator Holbrook, S. B. No. 420 was withdrawn from the Committee on Banks and Banking and re-referred to the Committee on Insurance.

Senator Excused.

Senator Fellbaum was excused for the afternoon on account of illness, on motion of Senator Stone.

Motion to Reconsider.

Senator Purl moved to reconsider the vote by which the Senate refused to suspend the rule on H. B. No. 773.

At Ease.

By unanimous consent, the Senate, at 3:50 o'clock p. m., stood at ease subject to the call of the Chair.

Motion Spread on Journal.

The question recurred upon the motion to reconsider. Senator Purl spread the motion on the Journal.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill by a vote of 114 yeas and 8 nays:

S. B. No. 416, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be and he is hereby authorized and empowered to declare financial moratoriums for and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State banks, national banks, State banks and trust companies, trust companies, private banks, building and loan associations, and all other banking and financial institutions in

the State of Texas, or both such moratoriums and limitations of withdrawal of deposits, and to promulgate any and all orders and decrees necessary to enforce such powers herein delegated; providing for penalties for violations; and it is expressly provided that the provisions of this bill shall be in force and effect up to and including April 30, 1933, when it shall terminate, and declaring an emergency."

(With amendments.)

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Concur.

Senator Woodul moved to concur in the House amendment to S. B. No. 416.

Senator DeBerry moved as a substitute that the Senate do not concur in the House amendment but ask for a free conference on the bill. The substitute motion was lost by the following vote:

Yeas—10.

Beck.	Moore.
Blackert.	Murphy.
Collie.	Oneal.
DeBerry.	Poage.
Holbrook.	Woodruff.

Nays—16.

Duggan.	Rawlings.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Pace.	Stone.
Parr.	Woodul.
Patton.	Woodward.

Absent—Excused.

Cousins.	Redditt.
Neal.	

(Pair Recorded.)

Senator Purl (present) who would vote yea, with Senator Fellbaum (absent) who would vote nay.

The motion to concur prevailed by the following vote:

Yeas—25.

Beck.	Greer.
Blackert.	Hopkins.
DeBerry.	Hornsby.
Duggan.	Martin.

Moore.	Regan.
Murphy.	Russek.
Oneal.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.
Rawlings.	

Nays—2.

Collie.	Holbrook.
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Absent—Excused.

Cousins.	Neal.
Fellbaum.	Redditt.

Reasons for Vote.

I vote "no" on S. B. No. 416 as amended by the House for the following reason: The amendment adopted by the House lifts the time limitation placed in the bill by the Senate, and the bill should have been sent to a conference committee for consideration. It is a dangerous thing to pass a bill with unusual powers, to cover an emergency without a time limitation. I am unwilling to place the financial resources of the people of this State in the hands of James E. Ferguson to do with as he wills, without such restrictions as contained in the Senate bill.

HOLBROOK.

I feel that I can not yield the judgment of my conviction that this bill should be limited and restricted as to time of tenure and enforcement. Being a signer of the amendment adopted by the Senate by unanimous vote, I am constrained in the belief that it would not be the part of wisdom to delegate to any governmental officer or department unrestricted and unlimited dictatorial powers over the financial resources of all the people of Texas, as the bill does after the House rejected the Senate amendment. It was sought to make this an emergency measure, but adopted without the amendment it becomes a permanent policy of this State and subjects the people and institutions of Texas to the will, judgments and orders of a single citizen thereof. If the bill had gone to conference committee, limitations could have been preserved or made to apply to the emergency existing.

COLLIE.

On the vote to concur in House amendment to S. B. No. 416 I voted yea for the following reasons: From the first I have contended that this bill to give absolute control of the banks of this State to the Governor and Banking Commissioner should have a time limitation. I am convinced that the emergency is so great that broad powers must be vested in someone but I do not agree that the Legislature should entirely surrender its power. If those entrusted with this power were to abuse same it would require a two-thirds majority of the Legislature to repeal or change this law.

I was active in trying to place the time limitation on this bill, but in the contest with those who differed with me I agreed to support the bill without this limitation rather than prevent the bill from going into immediate effect as could have been by myself and those voting with me.

DeBERRY.

Motion to Take Up Bill.

Senator Moore asked unanimous consent to take up out of its regular order S. B. No. 421.

Objection was heard.

Senator Moore moved to take up the bill.

Recess.

Senator Martin moved to recess until 8 o'clock p. m., today.

The motion prevailed and at 6:20 o'clock p. m., the Senate recessed.

After Recess.

The Senate met at 8 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Bill Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 416.

Adjournment.

On motion of Senator Parr, the Senate, at 8:05 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, March 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 418 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 416 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, March 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 418 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,

Austin, Texas, March 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 416 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,

Austin, Texas, March 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 165 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,

Austin, Texas, March 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 250 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 128 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 40 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 104 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 201 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 57 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 123, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 773, A bill to be entitled "An Act providing that the Banking Commissioner of the State of Texas, with the approval of the Governor of Texas, from and after the passage of this Act, be and he is hereby authorized and empowered to declare financial moratoriums for and invoke a uniform limitation withdrawal, co-extensive with the boundaries of the State, of deposits from all State Banks, National Banks, State Banks and Trust Companies, Trust Companies, Private Banks, Building and Loan Associations, and all other banking and financial institutions in the State of Texas, etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RUSSEK, Chairman.

Committee Room,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 418, A bill to be entitled "An Act to stay all sales under execution, order of sale or under any deed of trust, mortgage or other contract giving or granting any power of sale of real, personal or mixed property for debt now advertised to be made on March 7, 1933, for a period of four weeks from said date, providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on March 7, 1933, shall be required for such sale on April 4, 1933, making void all sales in violation of this Act, extending the time for return, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, March 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred the written motion of Senator Woodul to add the names of three Senators to the Committee on State Affairs and the amendment by Senator Purl

to add two other names to said committee,

Have had the same under consideration, and I am instructed to report said written motion and amendment thereto back to the Senate with the recommendation that they be not adopted.

HORNSBY, Chairman.

Committee Room,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 391, A bill to be entitled "An Act permitting water improvement districts and water control and improvement districts to borrow from the amortization and emergency fund within two years; to sell or hypothecate bonds and securities in which such funds are invested, for the purpose of operating such districts, such funds to be replaced within five years with 5% interest and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

REGAN, Vice-Chairman.

Committee Room,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 193, A bill to be entitled "An Act providing for the government of water improvement districts organized or hereafter organized in accordance with the provisions of Chapter 247, Acts of the Fortieth Legislature, and governed by the provisions of Chapter Two, Title 128, Revised Civil Statutes and amendments thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REGAN, Vice-Chairman.

Committee Room,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Min-

ing, Irrigation and Drainage, to whom was referred

S. B. No. 244, A bill to be entitled "An Act authorizing water improvement districts to borrow money and create debts and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REGAN, Vice-Chairman.

Committee Room,
Austin, Texas, March 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 421, A bill to be entitled "An Act amending Article 4682 of the Revised Civil Statutes by adding thereto subsection 21, authorizing the Board of Insurance Commissioners with approval of the Governor of Texas, to exercise such incidental and implied powers and duties as may be necessary to carry out the purposes and intent of the insurance laws of this State; and, by adding thereto subsection 22, authorizing the Board of Insurance Commissioners with approval of the Governor of Texas, to prescribe rules and regulations for carrying out the purposes and intent of the insurance laws of this State; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed.

PURL, Chairman.

Committee Amendment No. 1.

Amend Senate Bill No. 421 by striking out all above the enacting clause, and insert in lieu thereof the following:

A BILL

To Be Entitled

An Act authorizing the Board of Insurance Commissioners by and with the approval of the Governor of the State of Texas, to promulgate rules, regulations and orders as they deem necessary to regulate and stabilize payment of premiums to insurance companies and payment of policy reserve loans and withdrawals of cash surrender values due and payable to

policy holders, with no limit on payment of death, sick and accident claims, and such other claims for which such insurance companies may be liable, except the payment of dividends; and providing penalties for violation of this Act; and providing that this Act shall not fail on account of the invalidity of any section thereof; and declaring an emergency.

Committee Amendment No. 2.

Amend Senate Bill No. 421 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. The Board of Insurance Commissioners of the State of Texas with the approval of the Governor of the State from and after the passage of this Act are specifically authorized and empowered to promulgate such rules, regulations, and orders as they may deem necessary to regulate and stabilize payment of premiums to insurance companies and payment of policy reserve loans and withdrawals of cash surrender values, due and payable to policyholders with no limit on payment of death, sick and accident claims, and such other claims for which such insurance companies may be liable, except the payment of dividends. And providing, further that the Board of Insurance Commissioners with the approval of the Governor of Texas shall have power and authority to cancel the permit to do business in this State of any insurance company violating or refusing to comply with any rule, regulation or order promulgated in pursuance of the authority granted under this Act.

Sec. 2. If any section, provision, sentence, clause or phrase of this Act shall be declared unconstitutional or invalid for any reason, it shall not affect any other provision or portion of this Act and the same shall remain in full force and effect.

Sec. 3. The fact that the Board of Insurance Commissioners is not now expressly authorized to exercise authority and prescribe rules and regulations in conformity with sound business policies regarding insurance companies doing business in this State creates an emergency and an imperative public necessity authorizing the suspension of the constitutional rule requiring bills to be

read on three several days in each House and that this bill take effect and be in force from and after its passage, and it is so enacted.

THIRTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,
March 6, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	

Absent—Excused.

Neal.	Sanderford.
Redditt.	Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hornsby.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent the rule relating to the introduction of bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills and resolutions:

By Senator Fellbaum:

S. J. R. No. 23, Proposing an amendment to Section 30 of Article XVI of the Constitution of the State of Texas, so as to fix the duration of all offices not otherwise fixed by the Constitution to four years, providing that the Railroad Commission shall be composed of three members, who shall be elected as now provided,